

# **EXHIBIT 5**

**FILED UNDER SEAL**

**To:** John LaBarre[jlabarre@google.com]; Allen Lo[alo@google.com]; lsorell@google.com[lsorell@google.com]  
**Cc:** Tom Cullen[Tom.Cullen@sonos.com]; Alaina Kwasizur[Alaina.Kwasizur@sonos.com]; Craig Shelburne[Craig.Shelburne@sonos.com]  
**From:** Mark Triplett[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=694E76097D884EE989D4D92F32BBE9B4-MARKTRIPLE]  
**Sent:** Thur 10/13/2016 2:39:48 PM Eastern Standard Time  
**Subject:** RE: Sonos Meeting Follow Up  
**Attachment:** Google Education Material 10\_13\_06.pdf

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Hi John and Lou,

Attached is the other round of educational material that I mentioned in my email below. I apologize for not sending it last week. It should be helpful to better understand how certain Sonos patents relate to Google.

Also, please confirm our meeting on Tuesday, the 25<sup>th</sup> in sunny Santa Barbara and suggest a time that works best for you and Lou.

My Best,  
 Mark

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**From:** Mark Triplett  
**Sent:** Thursday, October 06, 2016 10:51 AM  
**To:** 'John LaBarre'; Allen Lo; lsorell@google.com  
**Cc:** Tom Cullen; Alaina Kwasizur; Craig Shelburne  
**Subject:** RE: Sonos Meeting Follow Up

Okay – sounds good John. It's fine if you can't get me the list beforehand... we should meet either way. So, let's plan on Tuesday, the 25th in Santa Barbara.

See you soon.  
 -mark

**From:** John LaBarre [mailto:[jlabarre@google.com](mailto:jlabarre@google.com)]  
**Sent:** Wednesday, October 05, 2016 5:52 PM  
**To:** Mark Triplett; Allen Lo; [lsorell@google.com](mailto:lsorell@google.com)  
**Cc:** Tom Cullen; Alaina Kwasizur; Craig Shelburne  
**Subject:** Re: Sonos Meeting Follow Up

Thanks for the note, Mark. Let me confer with Lou, but I think we can make Tuesday work.

We are working towards providing you a preliminary list of relevant Google patents and was planning on providing that list to you at the meeting (or perhaps a few days in advance). If that doesn't suit your needs, we can commit to providing you the list that week, and then we could have our follow-up meeting at some later point (e.g., two-three weeks after that).

Please just let me know your preference (*i.e.*, work towards a meeting on the 25th with us providing you our list on the 21st OR provide you our list on the 21st and set up a meeting for sometime in November).

Best,

John

On Wed, Oct 5, 2016 at 3:00 PM Mark Triplett <[Mark.Triplett@sonos.com](mailto:Mark.Triplett@sonos.com)> wrote:

Hi John,

Thanks for the note. I happen to be in SB the week of the 24<sup>th</sup>. How about either Tuesday or Wednesday? Tuesday is probably best for me. If those days don't work, then please propose another day/time that week and I can rearrange flights.

Your last note mentioned looking to the relevancy of Google's patent portfolio to Sonos's line of business. If you have any Google patents to discuss, I'd kindly ask for the list and their relevance to Sonos products this week so that we can be prepared at some level to discuss them.

We will be sending another round of educational material this week. It should help connect the Sonos patents to more specific features of the Google products.

Thanks,  
 Mark

**From:** John LaBarre [mailto:[jlabarre@google.com](mailto:jlabarre@google.com)]  
**Sent:** Tuesday, October 04, 2016 1:53 PM  
**To:** Mark Triplett; Allen Lo; [lsorell@google.com](mailto:lsorell@google.com)

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
<b>TRIAL EXHIBIT 6635</b>
CASE NO. <u>3:20-cv-06754-WHA</u>
DATE ENTERED _____
BY _____
DEPUTY CLERK

**Cc:** Tom Cullen; Alaina Kwasizur; Craig Shelburne  
**Subject:** Re: Sonos Meeting Follow Up

Hi Mark -

I wanted to reach back out to you regarding setting up a time for our meeting. Perhaps the week of October 24th or the week of November 7 (during the intervening week, Lou is overseas on business) works for you? My suggestion is that I could join in person (Santa Barbara?) and that Lou could join via video conference. We are, of course, open to other suggestions as well.

Let us know what works for you.

Best,

John

On Fri, Sep 2, 2016 at 5:46 PM John LaBarre <[jlabarre@google.com](mailto:jlabarre@google.com)> wrote:  
[+Louis Sorell](#)

Thanks, Mark. I've added Lou to the thread.

As for a next meeting, the week of the 19th will, unfortunately, not work (at least for me) as I will be attending a conference overseas that week.

In addition, I feel that at our next meeting, we should be in a position to discuss with you in reciprocal detail our thoughts on the relevancy of Google's patent portfolio to Sonos's lines of business. Based on our conversation this week, we are preparing to undertake such an assessment, but probably will need several weeks before we will even be in a initial place to have such discussions.

I will confer with Lou and propose alternative dates next week.

Regards,

John

On Fri, Sep 2, 2016 at 5:25 PM Mark Triplett <[Mark.Triplett@sonos.com](mailto:Mark.Triplett@sonos.com)> wrote:  
 Hi all,

Thanks again for meeting on Wednesday. I appreciate your willingness to understand what Sonos has invented and protected over the years, and how that IP is relevant to Google. Pursuant to your request, my team and I will prepare material to educate Lou and/or John (I don't have Lou's email, so please forward to him) at a level between what I presented at the meeting and claim charts. We can also show the top 20 most interesting prior art references, if that's of interest to you. I and a member from my team will be able to walk you through that material the week of September 19th.

Please let me know what days/times work best and I can calendar the time. In the meantime, you have my 3 overview slides and I further included a document that specifically lists:

- (1) 16 patents (directly relevant today)
- (2) 4 allowed patent applications (directly relevant today)
- (3) 8 other patent specifications that those folks close to Cast should readily understand the relevance by reading the overview sections at a minimum.

Again, we seek to reach a licensing agreement with Google for the Sonos portfolio of utility patents. My team works hard to maximize the value of each of our patents and the value is evidenced by our finding that over 50% of them are practiced today. To drive the continued value of our patents, we interview every case with the Patent Office and we are interested in always learning. If you have something to share with us about any particular patent(s) as it relates to Google, we are all ears. We keep the patent families alive to ensure over time that we accurately and precisely protect all the patentable innovations brought to this world by Sonos.

To reiterate, I don't view any of this information as confidential – I value a transparent and open approach to our continued work together.

Enjoy a nice, long weekend in observance of the Labor Day holiday!

My Best,  
 Mark

**Mark Triplett**  
 Sonos Intellectual Property | [630.297.9099](tel:6302979099) | [mark.triplett@sonos.com](mailto:mark.triplett@sonos.com)

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John LaBarre | Patent Transactions | Google Inc. | [917-971-5593](tel:9179715593)

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